

115TH CONGRESS
1ST SESSION

H. R. 739

To prohibit the construction of new border barriers, including walls or fences, on certain Federal land, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2017

Mr. ESPAILLAT introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To prohibit the construction of new border barriers, including walls or fences, on certain Federal land, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the "This Land Is Our
5 Land Act".

6 SEC. 2. PROHIBITION ON THE CONSTRUCTION OF NEW

7 BORDER BARRIERS, INCLUDING WALLS OR
8 FENCES, ON CERTAIN FEDERAL LAND.

9 (a) PROHIBITION.—

25 (b) WITHHOLDING OF CERTAIN FUNDING.—

1 (1) IN GENERAL.—Notwithstanding any other
2 provision of law, the Secretary of Homeland Security
3 may not obligate or expend any funds appropriated
4 or otherwise made available (including through fees)
5 to the Secretary to construct any new border bar-
6 riers, including walls or fences, on Federal land
7 under the jurisdiction of the Secretary of the Inter-
8 rior or the Secretary of Agriculture within 100 miles
9 of the international land borders of the United
10 States that are not in existence as of the date of the
11 enactment of this Act.

12 (2) RULE OF CONSTRUCTION.—The prohibition
13 under paragraph (1) may not be construed to pro-
14 hibit the obligation or expenditure of funds described
15 in such paragraph for the maintenance or repair by
16 the Secretary of Homeland Security of any border
17 barriers, including walls or fences, on Federal land
18 under the jurisdiction of the Secretary of the Inter-
19 rior or the Secretary of Agriculture within 100 miles
20 of the international land borders of the United
21 States that are in existence as of the date of the en-
22 actment of this Act.

23 (c) EFFECT ON STATE AND PRIVATE LAND.—This
24 Act shall—

- 1 (1) have no force or effect on State or private
2 lands; and
3 (2) not provide authority on or access to State
4 or private lands.
5 (d) TRIBAL SOVEREIGNTY.—Nothing in this Act su-
6 persedes, replaces, negates, or diminishes treaties or other
7 agreements between the United States and Indian tribes.

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